

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE EIGHTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3838 OF 2023

Between:

Rinku Navik, S/o. Havaladar, Aged 27 years, Occ. Business, R/o.. Q. No. J-45,
Workdrs Colony, Basanth Nagar, Ramagundam, Karimnagar.

...PETITIONER/ACCUSED No.1

AND

1. State of Telagana, rep. by Public Prosecutor, High Court at Hyderabad.
2. Murugan.T, S/o. Thangamani, Aged 44 years, Occ. Asst. Manager at M/s. Anvesh IPR Services, R/o. 30/541, 20th Steet, TNHB Colony, Korattur, Chennai-600 080.

...RESPONDENTS/COMPLAINANTS

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash the FIR registered against the Petitioner /Accused No.1 in Crime No. 322 of 2023, dt. 31-03-2023 by the S.H.O. Kukatpally Police Station, Cyberabad for offence of Sec. 420 of I.P.C., and Sec. 63 and 65 of Copyright Act.

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with in filing of the certified copy of the FIR No. 322 of 2023, dt. 31-03-2023 by the S.H.O. Kukatpally Police Station, Cyberabad.

I.A. NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including arrest of the Petitioner/Accused No.1 in Crime No. 322 of 2023, dt. 31-03-2023 by the S.H.O. Kukatpally Police Station, Cyberabad pending disposal of the Quash Proceedings.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri PALLE SRIHARINATH, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and of None appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.3838 OF 2023

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.1 quash the proceedings against them in Crime No.322 of 2022 pending on the file of Station House Officer, Kukatpally Police Station, Cyberabad. The offences alleged against the petitioner are under Sections 63 and 65 of Copyright Act, 1957.

2. Heard both sides.

3. After arguing sometime, learned counsel for the petitioner confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for the reason of the offence alleged against the petitioner is punishable less than seven (07) years.

4. In view of the aforesaid submission of the learned counsel for the petitioner, this Criminal Petition is disposed of directing the Investigating Officer in respect of Crime No.322 of 2022 pending on the file of Station House Officer,

Kukatpally Police Station, Cyberabad, to strictly follow the procedure laid down under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹. The petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by them in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- G. SIREESHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional JCJ Cum XII Additional Metropolitan Magistrate Medchal Malkajiri District at Kukatpally.
2. The Station House Officer, Kukatpally Police Station, Cyberabad.
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Palle Sriharinath, Advocate [OPUC]
5. Two CD Copies

BJLB
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¹ (2014) 8 SCC 273

HIGH COURT

KS, J

DATED:18/04/2023

ORDER



CRLP.No.3838 of 2023

CRIMINAL PETITION IS DISPOSED OF

A handwritten signature, possibly "MBL", enclosed within a hand-drawn circle.

MBL
15/5